

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

No. C 06-03239 JSW

v.

**ORDER SETTING EVIDENTIARY
HEARING**

CRESENCIO ROSALES,

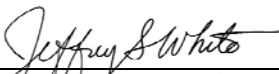
Defendant.

On March 25, 2008, the Honorable Martin J. Jenkins denied, in part, Defendant's motion to vacate his sentence. However, in that Order, the Court stated that it would set an evidentiary hearing to resolve an issue as to whether Defendant requested his counsel, Mr. Horowitz, to file an appeal.

On April 7, 2008, this case was reassigned to the undersigned. Accordingly, it is **HEREBY ORDERED** that this matter shall be set down for an evidentiary hearing on June 19, 2008 at 2:30 p.m. Counsel for the Government shall take the necessary steps to ensure Defendant's appearance at this hearing. If the parties seek to change this hearing date, they shall submit a request to the Court demonstrating good cause for any such change.

IT IS SO ORDERED.

Dated: April 11, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

USA,

Case Number: CV06-03239 JSW

Plaintiff,

CERTIFICATE OF SERVICE

v.

CRESENCIO ROSALES et al,

Defendant.

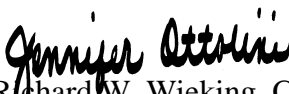
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 11, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Crescencio Rosales
Prisoner ID - 65650-065
NEOCC / C11
2240 Hubbard Road
Youngstown, OH 44505

US Attorney's Office
450 Golden Gate Avenue
San Francisco, CA 94102

Dated: April 11, 2008


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk